

**SUMTER COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY**

SUBJECT: SS2009-0006 - Small Scale Land Use Amendment - Betty & TP Caruthers, Jr. - US
301/Oxford

REQUESTED ACTION: Approve small scale land use amendment SS2009-0006

☐ Work Session (Report Only) **DATE OF MEETING:** 1/4/2010
☒ Regular Meeting ☐ Special Meeting

CONTRACT: ☒ N/A Vendor/Entity: _____
Effective Date: _____ Termination Date: _____
Managing Division / Dept: Planning

BUDGET IMPACT:

☐ Annual **FUNDING SOURCE:** _____
☐ Capital **EXPENDITURE ACCOUNT:** _____
☒ N/A

HISTORY/FACTS/ISSUES:

The applicant is requesting a small scale land use amendment on 10 acres MOL from Agricultural to Commercial. The parcel is located on US 301 and in an area of growing commercial properties. The parcel is located adjacent to commercial properties and in the immediate vicinity of the City of Wildwood.

The Zoning & Adjustment Board held a public hearing on January 4, 2010, and recommended approval (11-0).

ZAB cases:

- 1) Jodie & Danny Young - R2009-0022
 - 2) Betty & TP Caruthers, Jr. - SS2009-0006*****
 - 3) Betty & TP Caruthers, Jr. - R2009-0026
 - 4) Lisa Pannell & James Lopez - SS2009-0007
 - 5) Lisa Pannell & James Lopez - R2009-0027
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**SMALL SCALE SUMTER COUNTY COMPREHENSIVE PLAN AMENDMENT
APPLICATION**

DATE: December 30, 2009

CASE NUMBER: SS2009-0006

APPLICANT: TP & Betty Caruthers/Reggie Caruthers

LEGAL DESCRIPTION:

Section 17, Township 18S, Range 23E; W 435.6' of N 1000' of the following described parcel: Begin 460' N of SW corner of Section; Run N 1872.15'; Thence E to Westerly ROW of SAL Railroad; Thence S 12° 02' 45" E Along said ROW 1916.45'; Thence W 2647.7' to Point of Beginning; Less Commence at NW corner of SW 1/4 ; Run S 175' to Point of Beginning; Run E 450'; Run S 729.25'; Run W 450'; Run N 729.99' to Point of Beginning.

ELEMENTS: Future Land Use Map and Future Land Use Element

PROPOSED CHANGE:

<u>Current Future Land Use Designation</u>	<u>Acres</u>	<u>Proposed Future Land Use Designation</u>
Agriculture	10 acres	Commercial

GENERAL DESCRIPTION AND BACKGROUND

This application requests a Small Scale Future Land Use amendment from Agriculture (1 dwelling unit/10 acres) to Commercial. The application consists of one parcel encompassing approximately 10 acres within the Wildwood area of unincorporated Sumter County. The subject property is located on the east side of US 301 approximately 1/3 mile south of C-466. The subject property has not been the subject of a future land use amendment within the past year. See Map 1 for project location and adjacent uses.

SURROUNDING LAND USE AND ZONING

The properties to the north, south, and west of the subject property have a Future Land Use of Commercial. In addition, properties to the west of the subject property are located within the City of Wildwood with a commercial land use and zoning designation. The property to the east of the subject property has a Future Land Use of Agriculture. However, the property to the east is owned by the applicant.

The subject property is located within the joint planning area with the City of Wildwood. The proposed Commercial Future Land Use of the subject property is consistent with the conceptual land use pattern approved through the adoption of the Interlocal Service Boundary Agreement with the City of Wildwood.

The proposed Commercial Future Land Use is consistent with the existing development pattern of the surrounding area.

LAND USE SUITABILITY

Urban Sprawl

The subject property is adjacent to the County's Urban Development Boundary. In addition, the subject property is within 1/3 mile of the intersection of US 301 and C-466. The US 301/C-466 intersection has been identified by the County and the City of Wildwood as potential future major commercial node.

Environmental Resources

The subject property is comprised primarily of pasture land with a single-family home in the northwest corner. The subject property has no wetlands and is not within the 100-year floodplain. The subject property is not within an Area of Environmental Concern as identified on Map VII-15 of the Sumter County Comprehensive Plan.

Historic Resources

No historic resources will be impacted by this application. This location does not appear on the Master Site File of Historic Resources in the Sumter County Comprehensive Plan.

Population and Housing

The proposed amendment to Commercial will decrease the potential number of dwelling units from 1 to 0 and population from 2 to 0 for the subject property:

CONCURRENCY ANALYSIS

This proposed amendment to the Sumter County Comprehensive Plan will have no affect on water distribution and wastewater treatment capacities. The property will be served by private well and septic. However, the City of Wildwood plans on providing water and sewer service to this area. At the time of the extension and availability of water and sewer to the subject property, the subject property will be required to connect to the water and sewer services.

There is no impact anticipated with the proposed amendment in level of service (LOS) for recreation.

The subject property is accessed via a major arterial US 301. US 301 is four-laned from C-466 to the northern limit of the subject property. US 301 from the northern limit of the subject property to downtown Wildwood is committed to be four-laned through an executed agreement between the Florida Department of Transportation and the Villages of Lake-Sumter, Inc. Consequently, the LOS analysis assumes US 301 to be four-laned. The anticipated increase in trip generation from the proposed amendment does not exceed the adopted LOS capacity for US 301.

Roadway Segment	Pre-Amendment Traffic		Post-Amendment Traffic		Adopted LOS Capacities		Meets LOS
	Daily Traffic	Peak Hour Traffic	Daily Traffic	Peak Hour Traffic	Daily Capacity	Peak Hour Capacity	
US 301	15,100	1,450	18,525	1,749	33,200	3,290	Yes

Pre-Amendment Traffic from FDOT 2008 Traffic Counts - Adopted LOS from Sumter County Concurrency Management System
US 301 Analyzed as LOS D

INTERNAL CONSISTENCY

This proposed amendment will require amendments to the Sumter County Comprehensive Plan's Future Land Use Map of the Future Land Use Element.

Future Land Use Element

The proposed changes to the Future Land Use Element would reflect changes in the allocated inventory for Agriculture lands, which would decrease by 10 acres MOL, and increase the allocated inventory of Commercial lands by 10 acres MOL.

Future Land Use Map

The proposed changes in the Future Land Use Map will change the designation of the subject property from Agriculture to Commercial. Map 2 shows the change on the Future Land Use Map.

PROPOSED AMENDMENT TO THE TEXT OF THE COMPREHENSIVE PLAN

This proposed amendment does not affect the text of the Comprehensive Plan.

PROPOSED AMENDMENT TO THE CAPITAL IMPROVEMENTS PLAN

This proposed amendment does not affect the Capital Improvements program as outlined in the Sumter County Comprehensive Plan.

Notices Sent: 9 (In objection) 0 (In favor) 0

Zoning & Adjustment Board Recommendation: Approval (11-0)

MAP 1 LOCATION



0 162.5 325 Feet



Sumter County Planning & Development
December 30, 2009

Small Scale Future Land Use Map Amendment
SS# 2009-0006
TP & Betty Caruthers



Map 2



Small Scale Future Land Use Map Amendment

SS# 2009-0006

TP & Betty Caruthers

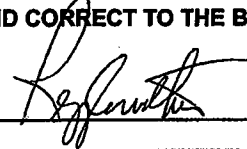


**SUMTER COUNTY
ZONING AND ADJUSTMENT BOARD**

910 N. Main Street, Suite 301, Bushnell, FL 33513
Tel. (352) 793-0270 Fax (352) 793-0274

Project No: SS2009-0006
Application: 11/17/2009 SCO

SMALL SCALE

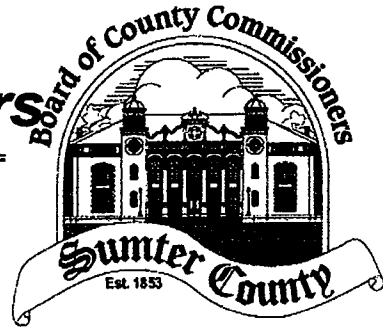
PROJECT TYPE SMALL SCALE		PROJECT SUBTYPE		PROJECT DESCRIPTION SMALL SCALE LAND USE CHANGE ON 10 ACRES		
OWNER CARUTHERS, T P JR & BETTY G		ADDRESS PO BOX 97, OXFORD, FL 34484		PHONE 352		
AGENT/APPLICANT REGGIE CARUTHERS		ADDRESS		PHONE (352) 748-1182		
PARCEL # D17-052	SEC/TWP/RNG 171823	GENERAL OXFORD AREA	DIRECTIONS TO PROPERTY N ON US 301 THROUGH WILDWOOD. PROPERTY IS APPROX 1/4 mile N OF CR 214 ON THE W ^E SIDE OF THE ROAD.			
Property Address 11203 N US 301, Oxford, FL 34484						
PARCEL SIZE 52.37 ACRES MOL		F.L.U. COMM AG	LEGAL DESCRIPTION BEG 460 FT N OF SW COR RUN N 1872.15 FT THENCE E TO W/LY R/W OF SAL RR S 12 DEG 02 MIN 45 SEC E ALONG SAID RW 1916.45 FT W 1647.7 FT TO POB LESS COMM AT NW COR OF SW 1/4 OF SW 1/4 RUN S175 FT TO POB RUN E 450 FT S 729.25 FT W 450 FT N 729.98 FT TO POB			
PRESENT ZONING A5 & CH (C3)		PRESENT USE COMMERCIAL BLDG &				
REQUESTED USE SMALL SCALE LAND USE AMENDMENT ON 10 ACRES MOL FROM AG TO COMM		ACREAGE TO BE UTILIZED 10 ACRES MOL		LEGAL DESCRIPTION TO BE UTILIZED W 435.6' OF N 1000' OF THE FOLLOWING DESCRIBED PARCEL :BEG 460' N OF SW COR RUN N 1872.15' THENCE E TO W/LY R/W OF SAL RR S12DEG 2'45" E ALONG SAID RW 1916.45' W 1647.7' TO POB LESS COMM AT NW COR OF SW 1/4 RUN S 175' TO POB RUN E 450' S 729.25' W 450' N 729.99' TO POB		
ABUTTING PROPERTY	NORTH	EAST	SOUTH	WEST		
ZONING/USE F.L.U.	A5 & RR/RES COMM	A5/RES AG	A5 & RR/ RES & VACANT AG	WILDWOOD & C2/COMM AG & MUNC		
As owner/agent, I agree to post the hearing plaques within 24 hours on the property's road frontage at the corners and at 300' intervals between. I understand any action on my application will be governed by Sumter County's Comprehensive Plan and Development Code, and my payment of the non-refundable application fee will not influence the decision made on this application.			FEES		Amount	Payment
			\$100 Legal Ad Fee		100.00	C 1176
			Comprehensive Plan Amend. -Sma		2,900.00	C 1176
			Postage Fee		0.00	
			Recording Fees		0.00	
			TOTAL	\$3,000.00		
UNDER PENALTIES OF PERJURY, I DECLARE THE ABOVE INFORMATION THAT I HAVE GIVEN TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.						
			Signature(s)			
			Date			
			November 17, 2009			
A Public Hearing before the Zoning and Adjustment Board will be held on the date indicated below in the Sumter County Courthouse, Bushnell, FL. This application will be heard at the time indicated below. Your appearance or representation at this hearing is required, and lack of same will cause your application to be disposed of according to the policy adopted by the Board of County Commissioners. The recommendation of the Zoning and Adjustment Board on this request will be presented to the Board of County Commissioners at a Public Hearing to be held at the date/time indicated below in the Sumter County Courthouse, Bushnell, FL, room number indicated below.						
Zoning and Adjustment Board		1/4/2010 6:30 PM	Room: 142	Action: _____		
County Commission Meeting		1/12/2010 5:30 PM	Room: 142	Action: _____		
NOTICES SENT 9		RECEIVED IN FAVOR		RECEIVED OBJECTING		
Please Note: In preparation of the application, county zoning staff will visit the site to take photographs. This will be done in county-marked vehicles. Generally, staff will take photographs from the roadway or easement, and will not come on site unless access requires it.						

Board of County Commissioners

Division of Planning & Development

Planning Services

910 N. Main Street, Suite 301 • Bushnell, FL 33513 • Phone (352) 793-0270 • FAX: (352) 793-0274
Website: <http://sumtercountyfl.gov/plandevlop>



Authorization Form for Individuals

State of Florida
County of Sumter

I/we, the undersigned as the () Applicant ☒ Owner hereby authorize REGGIE CARUTHERS
to act as my/our agent in connection with the ☒ Rezoning ()
Comprehensive Plan Amendment () Special Use Permit () Temporary Use Permit
() Conditional Use Permit () Operating Permit ☒ Other: SMALL SCALE LAND USE PLAN

on the following described property located in Sumter County, Florida: D17=052

Dated this 1st day of DECEMBER, 2009.

J.P. Caruthers Jr. Betty G. Caruthers
Signature Signature
Printed Name: T.P. CARUTHERS JR. Printed Name: BETTY G. CARUTHERS

SWORN TO and subscribed before me this 19th day of DEC, 2009, by
T.P. CARUTHERS JR. & BETTY G. CARUTHERS personally known to me to the
person(s) named above or who produced the following identification:

Notary Public, State of Florida
My Commission expires: _____

(Seal)



Bradley T. Cornelius, AICP
Planning Manager
(352) 569-8027

Bradley S. Arnold,
County Administrator
(352) 793-0200
910 N. Main Street
Bushnell, FL 33513

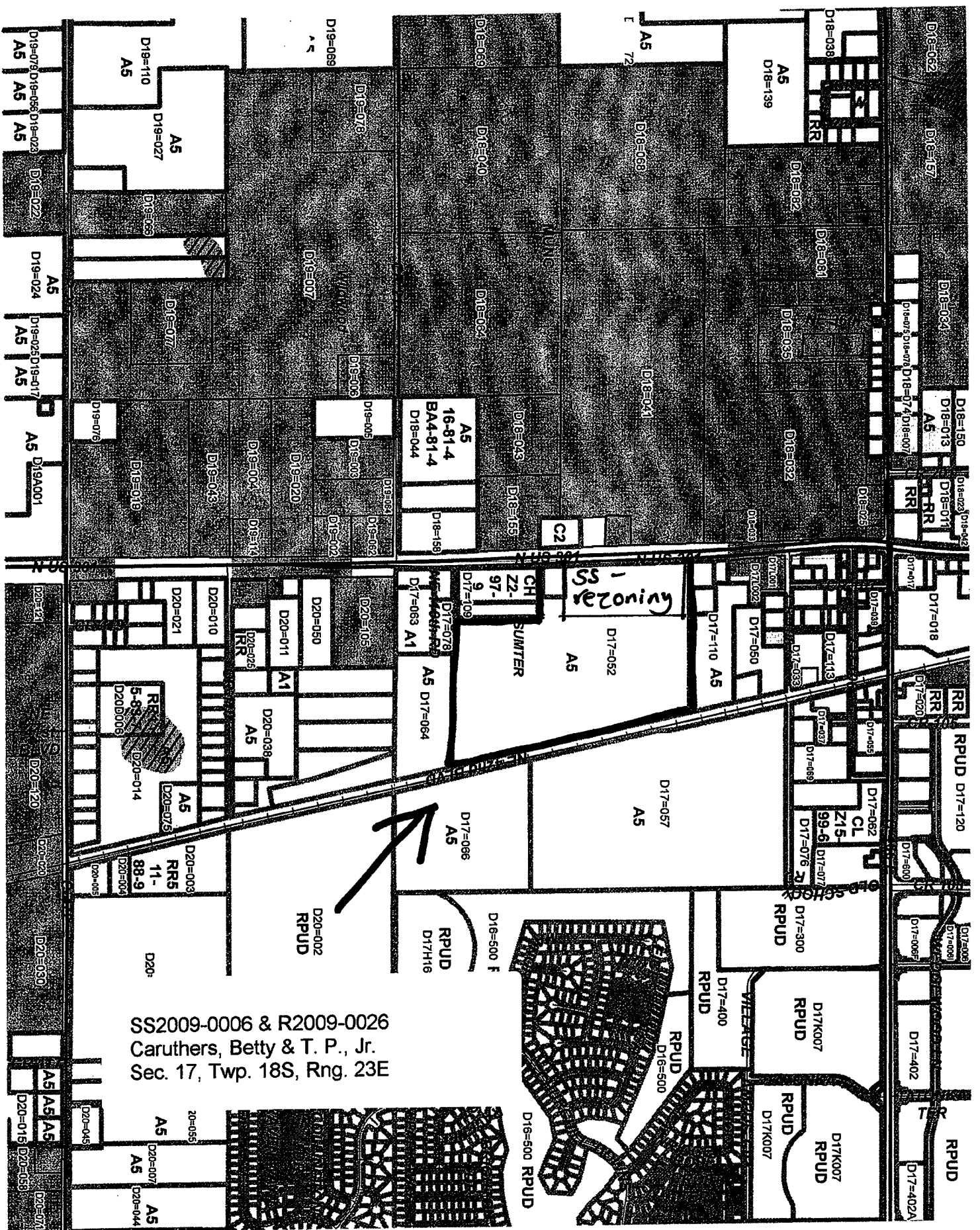
Richard "Dick" Hoffman, Dist 1
(352) 753-1592 or 793-0200
910 N. Main Street
Bushnell, FL 33513

Doug Gilpin, Dist 2
Vice Chairman
(352) 793-0200
910 N. Main Street
Bushnell, FL 33513

Vacant, Dist 3
(352) 753-1592 or 793-0200
910 N. Main Street
Bushnell, FL 33513

Garry Breeden, Dist 4
Chairman
(352) 793-0200
910 N. Main Street
Bushnell, FL 33513

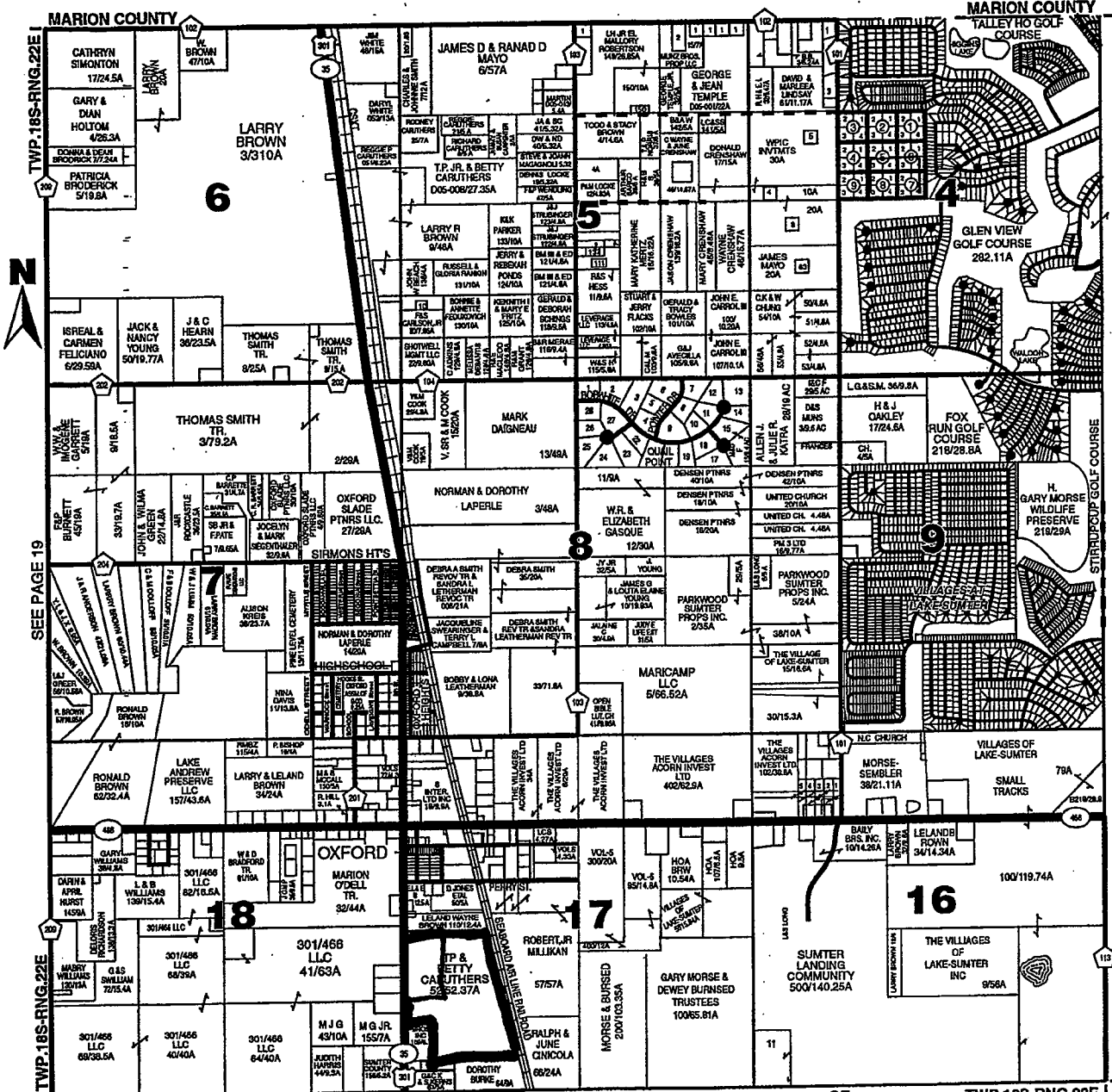
Randy Mask, Dist 5
2nd Vice Chairman
Office: (352) 793-0200
Home: (352) 793-3930
910 N. Main Street
Bushnell, FL 33513



TWP.18S-RNG 23E

NORTHWEST QUADRANT
SUMTER COUNTY, FLORIDA

0 SCALE OF MILES 1/2
0 660 1320 1980 2640 SCALE OF FEET 5280



SS2009-0006 & R2009-0026
Caruthers, Betty & T. P., Jr.
Sec. 17, Twp. 18S, Rng. 23E